

ORDINANCE NO. 3785

AN ORDINANCE AMENDING ARTICLE VI. SMOKING IN PUBLIC PLACES  
SECTION 13-92 AND 13-93

WHEREAS, heretofore, the City Council of Tuscaloosa enacted Article VI of the City Code which limited and prohibited smoking in certain public places; and,

WHEREAS, however, Article VI provided that smoking was only prohibited in those portions of a municipal facility to which the public was routinely and customarily invited or permitted, thereby allowing smoking in private enclosed offices, rooms or rooms within the facility and further Article VI allowed smoking in designated smoking areas in municipal facilities; and,

WHEREAS, the City Council has determined that there should not be any smoking within any portion of municipal facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That the definition of "municipal facility" as contained in Sec. 13-92 "Definitions" of Article VI "Smoking in Public Places," be, and the same is hereby amended as follows:

**"Sec. 13-92. Definitions.**

**Municipal facility:** Those enclosed areas of any building complex or facility or portion thereof owned, leased, operated or controlled by the City."

2. That subsection (a)(4) and (b)(3) be amended and subsection (a)(7) be added to Sec. 13-93 "Prohibited Acts" of Article VI "Smoking in Public Places" as follows:

**"Sec. 13-93. Prohibited Acts.**

(a)(4) Smoke in a municipal facility.

(a)(7) Smoke in a municipal agency facility (Subject to exceptions).

(b)(3) A private enclosed office, room or rooms to which the general public is not routinely permitted or invited of a municipal agency facilities, provided that this exception shall not be construed to permit smoking in reception areas or lobbies."

3. That Section 13-95 "Designation of Smoking Areas" of Article VI "Smoking in Public Places" be, and the same is hereby modified by amending paragraph (a) and adding paragraph (c) as follows:

- "(a) With the exception of municipal facilities, the owner, lessee or person otherwise in charge or control of the place or area within which smoking would otherwise be prohibited by this Article may designate one (1) or more areas thereof as smoking areas, wherein smoking may be permitted in accordance with the criteria set out herein.
- (c) The Mayor may designate one room a smoking area in the City Hall building."

APPROVED THIS 2 DAY OF December, 1993.  
TUCULUGGA CITY COUNCIL

Fito 12-2-93

Amd 12-2-93 (added 3c to allow mayor to designate one room  
a smoking area in City Hall building)

Unanimous Adopt as amended 12-2-93

PJH 12-8-93

1) # 394